

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

KENDRICK HUBBARD

PLAINTIFF

V.

NO. 4:17-CV-125-DMB-JMV

**CITY OF GREENVILLE,
MISSISSIPPI; et al.**

DEFENDANTS

ORDER ADOPTING REPORT AND RECOMMENDATION

On February 23, 2018, United States Magistrate Judge Jane M. Virden issued a Report and Recommendation recommending that this case be dismissed for failure to serve process pursuant to Federal Rule of Civil Procedure 4(m). Doc. #3. No objections to the Report and Recommendation were filed.

Where no objections to a report and recommendation have been filed, a “Court need only satisfy itself that there is no plain error on the face of the record.” *Gauthier v. Union Pac. R.R. Co.*, 644 F.Supp.2d 824, 828 (E.D. Tex. 2009) (citing *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996)). This Court has reviewed the Report and Recommendation and found no plain error.¹ Accordingly: (1) the Report and Recommendation [3] is **ADOPTED**; (2) this case is **DISMISSED without prejudice**; and (3) the Clerk of the Court is **DIRECTED** to close this case on the Court’s docket.

SO ORDERED, this 4th day of April, 2018.

**/s/Debra M. Brown
UNITED STATES DISTRICT JUDGE**

¹ The Report and Recommendation states that Hubbard filed his complaint on August 21, 2018. Doc. #3 at 1. The docket, however, reflects that Hubbard filed his complaint on August 21, 2017. Doc. #1. This scrivener’s error had no bearing on the Court’s decision to adopt the Report and Recommendation.